

Phase II Acid Rain Permit

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Source: A.B. Brown Generating Station
Address: West Franklin Road & Welborn Road, West Franklin, IN 47620
Operated by: Southern Indiana Gas & Electric Company
ORIS Code: 6137
Effective: January 1, 2000 through December 31, 2004

This permit is issued to the above operator under the provisions of 326 Indiana Administrative Code (IAC) 21 and 40 Code of Federal Regulations (CFR) 72 through 78 and 58 Federal Register (FR) 3590, with conditions listed on the attached pages.

Operation Permit No.: AR 129-5153-00010	
Issued by: Felicia R. George, Assistant Commissioner Office of Air Management	Issuance Date: December 31, 1997 Expiration Date:

Revised Operation Permit No.: AAR 129-10331-00010 Pages Affected: All	
Issued by: Original signed by Janet G. McCabe Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: September 25, 2001 Expiration Date: December 31, 2004

Section E

Title IV Operating Conditions

326 IAC 21 and 40 CFR 72 through 40 CFR 78, and 58 FR 3590

Title IV Source: dry bottom wall-fired boiler Unit 6137-1, dry bottom wall-fired boiler Unit 6137-2, and gas fired turbine Unit 6137-XX4.

E.1.1 Statement of Basis

Statutory and Regulatory Authorities: In accordance with IC 13-17-3-4, IC 13-17-3-11, IC 13-17-8-1, and IC 13-17-8-2 as well as Titles IV and V of the Clean Air Act, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) issues this permit pursuant to 326 IAC 2 and 326 IAC 21 (incorporates by reference 40 CFR 72 through 78).

E.1.2 Standard Permit Requirements [326 IAC 21]

- (a) The designated representative has submitted a complete Acid Rain permit application in accordance with the deadlines in 40 CFR 72.30.
- (b) The owners and operators of each affected source and each affected unit shall operate the unit in compliance with this Acid Rain permit.

E.1.3 Monitoring Requirements [326 IAC 21]

- (a) The owners and operators and, to the extent applicable, the designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR 75.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (c) The requirements of 40 CFR 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the source.

E.1.4 Sulfur Dioxide Requirements [326 IAC 21]

- (a) The owners and operators of each source and each affected unit at the source shall:
 - (1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 72.2), in the unit's compliance subaccount, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (2) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (b) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.
- (c) An affected unit shall be subject to the requirements under paragraph (a) of the sulfur dioxide requirements as follows: starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2) or starting on the latter of January 1, 2000, or the deadline for monitor certification under 40 CFR 75, an affected unit under 40 CFR 72.6(a)(3).

- (d) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (e) An allowance shall not be deducted in order to comply with the requirements under paragraph (a)(1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (f) An allowance allocated by the U.S. EPA under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, the Acid Rain portion of an operating permit, or the written exemption under 40 CFR 72.7 and 72.8 and 326 IAC 21, and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (g) An allowance allocated by U.S. EPA under the Acid Rain Program does not constitute a property right.
- (h) No permit revision may be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that the increases do not require a permit revision under any other applicable requirement. [326 IAC 2-7-5(4)(A)].
- (i) No limit shall be placed on the number of allowances held by an affected source. An affected source may not, however, use allowances as a defense to noncompliance with any applicable requirement other than the requirements of the Acid Rain Program. [326 IAC 2-7-5(4)(B)]
- (j) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO ₂ Allowance Allocations for Unit 6137-1					
year	2000	2001	2002	2003	2004
Tons	5,356*	5,356*	5,356*	5,356*	5,356*

SO ₂ Allowance Allocations for Unit 6137- 2					
year	2000	2001	2002	2003	2004
tons	4,529*	4,529*	4,529*	4,529*	4,529*

SO ₂ Allowance Allocations for Unit 6137-XX4					
year	2000	2001	2002	2003	2004
Tons	639*	639*	639*	639*	639*

* The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Allowance allocations to, transfer to, and deductions from an affected unit's Allowance Tracking System account do not require a revision to the SO₂ allowance allocation(s) identified in this permit. (See 40 CFR 72.84).

E.1.5 Nitrogen Oxides Requirements [326 IAC 21]

- (a) The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides (NO_x).
- (b) NO_x Early Election Compliance Plan Unit 6137-1:
 - (1) Pursuant to 40 CFR 76.8(d)(2), the Indiana Department of Environmental Management, Office of Air Quality approves a NO_x early election compliance plan for Unit 6137-1. The compliance plan is effective for calendar year 2000 through calendar year 2007. Under the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance with 40 CFR part 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(2), of 0.50 lb/mmBtu for dry bottom wall-fired boilers. If the unit is in compliance with its applicable emission limitation for each year of the plan, then the unit shall not be subject to the applicable emission limitation, under 40 CFR 76.7(a)(2), of 0.46 lb/mmBtu until calendar year 2008.
 - (2) In addition to the described NO_x compliance plan, the units shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.
- (c) NO_x Early Election Compliance Plan Unit 6137-2:
 - (1) Pursuant to 40 CFR 76.8(d)(2), the Indiana Department of Environmental Management, Office of Air Quality approves a NO_x early election compliance plan for Unit 6137-2. The compliance plan is effective for calendar year 2000 through calendar year 2007. Under the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance with 40 CFR part 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(2), of 0.50 lb/mmBtu for dry bottom wall-fired boilers. If the unit is in compliance with its applicable emission limitation for each year of the plan, then the unit shall not be subject to the applicable emission limitation, under 40 CFR 76.7(a)(2), of 0.46 lb/mmBtu until calendar year 2008.
 - (2) In addition to the described NO_x compliance plan, the units shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.
- (d) The gas fired turbine Unit 6137-XX4 is not subject to Nitrogen Oxides Limitation Requirements.

E.1.6 Excess Emissions Requirements for Sulfur Dioxide and Nitrogen Oxides [40 CFR 77] [326 IAC 21]

- (a) The designated representative of an affected unit that has excess emissions of sulfur dioxide in any calendar year shall submit a proposed offset plan to U.S. EPA and IDEM, OAQ as required under 40 CFR 77 and 326 IAC 21.
- (b) The designated representative shall submit required information to:

Indiana Department of Environmental Quality
Air Compliance Section I, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Ms. Cecilia Mijares
Air and Radiation Division
U.S. Environmental Protection Agency, Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

and

U.S. Environmental Protection Agency
Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code (6204N)
Washington, DC 20460

- (c) The owners and operators of an affected unit that has excess emissions (as defined in 40 CFR 72.2) in any calendar year shall:
 - (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and,
 - (2) Comply with the terms of an approved sulfur dioxide offset plan, as required by 40 CFR 77 and 326 IAC 21.

E.1.7 Record Keeping and Reporting Requirements [326 IAC 21]

- (a) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site each of the following documents for a period of 5 years, as required by 40CFR72.9(f), from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by U.S. EPA or IDEM, OAQ:
 - (1) the certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (2) all emissions monitoring information collected shall be retained on site for 3 years in accordance with 40 CFR 75.54;
 - (3) copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (4) copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (b) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90 subpart I, 40 CFR 75, and 326 IAC 21.

E.1.8 Submissions [326 IAC 21]

- (a) The designated representative shall submit a certificate of representation, and any superseding certificate of representation, to U.S. EPA and IDEM, OAQ in accordance with 40 CFR 72 and 326 IAC 21.
- (b) The designated representative shall submit required information to:

Indiana Department of Environmental Management
Permit Administration Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

U.S. Environmental Protection Agency
Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code (6204N)
Washington, DC 20460
- (c) Each submission under the Acid Rain Program shall be submitted, signed and certified by the designated representative for all sources on behalf of which the submission is made.
- (d) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature, the following statements which shall be included verbatim in the submission:
 - (1) "I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made."; and,
 - (2) "I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (e) The designated representative of a source shall serve notice on each owner and operator of the source and of an affected unit at the source:
 - (1) By the date of submission, of any Acid Rain Program submissions by the designated representative;
 - (2) Within 10 business days of receipt of a determination, of any written determination by U.S. EPA or IDEM, OAQ; and,
 - (3) Provided that the submission or determination covers the source or the unit.
- (f) The designated representative of a source shall provide each owner and operator of an affected unit at the source a copy of any submission or determination under condition (e) of this section, unless the owner or operator expressly waives the right to receive a copy.

E.1.9 Severability [326 IAC 21]

Invalidation of the Acid Rain portion of an operating permit does not affect the continuing validity of the rest of the operating permit, nor will invalidation of any other portion of the operating permit affect the continuing validity of the Acid Rain portion of the permit. [40 CFR 72.72(b), 326 IAC 21, and 326 IAC 2-7-5(5)]

E.1.10 Liability [326 IAC 21]

- (a) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, an Acid Rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement by U.S. EPA pursuant to Section 113(c) of the Clean Air Act and IDEM pursuant to 326 IAC 21 and IC 13-30-3.
- (b) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement by U.S. EPA pursuant to Section 113(c) of the Clean Air Act and 18 U.S.C. 1001 and IDEM pursuant to 326 IAC 21 and IC 13-30-6-2.
- (c) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (d) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to an affected source, including a provision applicable to the designated representative of an affected source, shall also apply to the owners and operators of such source and of the affected units at the source.
- (f) Any provision of the Acid Rain Program that applies to an affected unit, including a provision applicable to the designated representative of an affected unit, shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR 75, including 40 CFR 75.16, 75.17, and 75.18, the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (g) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Clean Air Act.

E.1.11 Effect on Other Authorities [326 IAC 21]

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, an Acid Rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (a) Except as expressly provided in Title IV of the Clean Air Act (42 U.S.C. 7651 to 7651(o)), exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Clean Air Act, including the provisions of Title I of the Clean Air Act relating to applicable National Ambient

Air Quality Standards or State Implementation Plans;

- (b) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Clean Air Act;
- (c) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
- (d) Modifying the Federal Power Act (16 U.S.C. 791(a) et seq.) or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (e) Interfering with or impairing any program for competitive bidding for power supply in a state in which such a program is established.



AR 129
103-5153

Phase II Permit Application

Page 1

RECEIVED

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: ☒ New ☐ Revised

DEC 27 1995

STEP 1

Identify the source by
plant name, State, and
ORIS code from NADB

Plant Name	A. B. Brown Generating Station	STATE OF INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT State ORIS Code
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STEP 2

Enter the boiler ID#
from NADB for each
affected unit, and
indicate whether a
repowering plan is
being submitted for
the unit by entering
"yes" or "no" at
column c. For new
units, enter the re-
quested information
in columns d and e

Compliance Plan				
a	b	c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
6137-1	Yes	NO		
6137-2	Yes	NO		
6137-XX4	Yes	NO		
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3

Check the box if the
response in column c
of Step 2 is "Yes"
for any unit

☐ For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1) **A. B. Brown Generating Station**

STEP 4
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR parts 74, 75, and 76.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR parts 74 and 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24, provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1) **A. B. Brown Generating Sta.**

Recordkeeping and Reporting Requirements (cont.)

- (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

J. G. Hurst, Senior Vice President



12/21/95

STEP 5 (optional)
Enter the source AIRS
and FINDS identification
numbers, if known



Phase II NO_x Compliance Plan

Page 1 of 2

For more information, see instructions and refer to 40 CFR 76.9

This submission is: ☒ New ☐ Revised

STEP 1

Indicate plant name, State, and ORIS code from NADB, if applicable

A. B. BROWN GENERATING STATION Plant Name	IN State	6137 ORIS Code
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STEP 2

Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB, if applicable. Indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.

ID#	1	ID#	2	ID#		ID#		ID#		ID#	
Type	DBW	Type	DBW	Type		Type		Type		Type	

(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for Phase I dry bottom wall-fired boilers)

☒☒☐☐☐☐

(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase I tangentially fired boilers)

☐☐☐☐☐☐

(c) EPA-approved early election plan under 40 CFR 76.8 through 12/31/07 (also indicate above emission limit specified in plan)

☒☒☐☐☐☐

(d) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase II dry bottom wall-fired boilers)

☐☐☐☐☐☐

(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for Phase II tangentially fired boilers)

☐☐☐☐☐☐

(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)

☐☐☐☐☐☐

(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)

☐☐☐☐☐☐

(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)

☐☐☐☐☐☐

(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)

☐☐☐☐☐☐

(j) NO_x Averaging Plan (include NO_x Averaging form)

☐☐☐☐☐☐

(k) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack.)

☐☐☐☐☐☐

(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO_x Averaging (check the NO_x Averaging Plan box and include NO_x Averaging form)

☐☐☐☐☐☐

A. B. BROWN GENERATING STATION
Plant Name (from Step 1)

NO_x Compliance - Page 2

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STEP 2, cont'd.

ID# 1	ID# 2	ID#	ID#	ID#	ID#
Type DBW	Type DBW	Type	Type	Type	Type

(m) EPA-approved common stack apportionment method pursuant to 40 CFR 75.17 (a)(2)(i)(C), (a)(2)(iii)(B), or (b)(2)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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(n) AEL (include Phase II AEL Demonstration Period, Final AEL Petition, or AEL Renewal form as appropriate)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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(o) Petition for AEL demonstration period or final AEL under review by U.S. EPA or demonstration period ongoing

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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(p) Repowering extension plan approved or under review

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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STEP 3
Read the standard requirements and certification, enter the name of the designated representative, sign & date.

Standard Requirements

General. This source is subject to the standard requirements in 40 CFR 72.9 (consistent with 40 CFR 76.8(e)(1)(i)). These requirements are listed in this source's Acid Rain Permit.

Special Provisions for Early Election Units


Nitrogen Oxides. A unit that is governed by an approved early election plan shall be subject to an emissions limitation for NO_x as provided under 40 CFR 76.8(a)(2) except as provided under 40 CFR 76.8(e)(3)(iii).

Liability. The owners and operators of a unit governed by an approved early election plan shall be liable for any violation of the plan or 40 CFR 76.8 at that unit. The owners and operators shall be liable, beginning January 1, 2000, for fulfilling the obligations specified in 40 CFR Part 77.

Termination. An approved early election plan shall be in effect only until the earlier of January 1, 2008 or January 1 of the calendar year for which a termination of the plan takes effect. If the designated representative of the unit under an approved early election plan fails to demonstrate compliance with the applicable emissions limitation under 40 CFR 76.5 for any year during the period beginning January 1 of the first year the early election takes effect and ending December 31, 2007, the permitting authority will terminate the plan. The termination will take effect beginning January 1 of the year after the year for which there is a failure to demonstrate compliance, and the designated representative may not submit a new early election plan. The designated representative of the unit under an approved early election plan may terminate the plan any year prior to 2008 but may not submit a new early election plan. In order to terminate the plan, the designated representative must submit a notice under 40 CFR 72.40(d) by January 1 of the year for which the termination is to take effect. If an early election plan is terminated any year prior to 2000, the unit shall meet, beginning January 1, 2000, the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under 40 CFR 76.7. If an early election plan is terminated on or after 2000, the unit shall meet, beginning on the effective date of the termination, the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under 40 CFR 76.7.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	J. Gordon Hurst	
Signature		Date 1/29/98

Statement of Basis. Part B

Page 3

Plant Name: A. B. Brown Station

State: Indiana

ORIS Code: 6137

Boiler ID#: 1

NO_x Compliance Plan

USEPA approves a nitrogen oxides early election plan for this unit for 1997-2007 under which this unit shall not exceed the standard annual average emission limitation of 0.50 lb/mmBtu. If this unit is in compliance with the applicable emission limitation under 40 CFR 76.5(a), then the unit shall not be subject to the applicable emission limitation under 40 CFR 76.7(a) of 0.46 lb/mmBtu until January 1, 2008.

Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements.

None.

Cecilia H. Mijares

Permit Reviewer

Cecilia H. Mijares

Signature

3/28/97

Date

Statement of Basis. Part B

Plant Name: A. B. Brown Station
State: Indiana
ORIS Code: 6137
Boiler ID#: 2

NO_x Compliance Plan

USEPA approves a nitrogen oxides early election plan for this unit for 1997-2007 under which this unit shall not exceed the standard annual average emission limitation of 0.50 lb/mmBtu. If this unit is in compliance with the applicable emission limitation under 40 CFR 76.5(a), then the unit shall not be subject to the applicable emission limitation under 40 CFR 76.7(a) of 0.46 lb/mmBtu until January 1, 2008.

Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements.

None.

Cecilia H. Mijares
Permit Reviewer

Cecilia H. Mijares
Signature

3/28/97
Date

**Indiana Department of Environmental Management
Office of Air Quality**

Addendum to the Draft
Phase II Acid Rain Permit

Source Name: A. B. Brown Generating Station
Source Location: West Franklin Road & Welborn Road, West Franklin, Indiana
47620
ORIS Code: 6137
Acid Rain Permit No.: AAR 129-10331- 00010
Reviewer: Robert Ondrusek

The goal of the 1990 Clean Air Act Amendments, Acid Rain Program is to reduce the impact of man-made emissions of sulfur dioxide (SO₂) and nitrogen oxide (NO_x) on lakes, streams, forests, crops and, most important, the health of the public, by a nationwide SO₂ allocation of emissions from power plants. While it may not seem to be a local problem, the information collected shows a need for this reduction. This is because these emissions can be transported great distances. Results of the SO₂ and NO_x program, along with past, present, and future plans, can be found on the Internet at <http://www.epa.gov/airmarkets/>. Additional information in the form of maps showing the results of the SO₂ and NO_x limitations can be found on the Internet at <http://nadp.sws.uiuc.edu/>.

On December 30, 1998, the Office of Air Quality (OAQ) had a notice published in the Mount Vernon Democrat, Mount Vernon, Indiana, stating that an Acid Rain operation permit for Southern Indiana Gas & Electric Company - A. B. Brown Generating Station, Units 6137-1, 6137-2, and 6137-XX4, permit AR 129-5153-00010, issued on December 31, 1997, will be replaced by operation permit AAR 129 -10331-00010. The notice stated where the proposed permit could be reviewed along with other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments.

The "Office of Air Management (OAM)" is being replaced by "Office of Air Quality (OAQ)" where found in this permit.

OAQ Staff Change Under Section E.1.4 Sulfur Dioxide Requirements

Under E.1.4 Sulfur Dioxide Requirements [326 IAC 21], the paragraph, "Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 73.35), in the unit's compliance subaccount, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit," is duplicated in the next condition. The repetitious phrase will be deleted.

EPA Comment Under Section E.1.5 Nitrogen Oxides Requirements [326 IAC 21]

The year 2004 in the permit draft has been changed to 2007 for units 1 and 2. This because the company has an EPA approved compliance plan stating that the nitrogen oxides early election compliance plan is effective for calendar year 2000 through 2007.

OAQ Staff Response

The change will be made. Conditions E.1.5(d)(1) and E.1.5(e)(1) will read as follows: Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NO_x emissions averaging plan for this unit, effective from calendar years 2000 through 2007. . .

OAQ staff Comments: the following changes are being made to clarify permit conditions

E.1.2 Standard Permit Requirements [326 IAC 21]

~~(The owners and operators of each affected source and each affected unit at the source shall:~~

~~(a) Submit a complete Acid Rain permit application, by submitting a sulfur dioxide application and compliance plan in accordance with the deadlines in 40 CFR 72.30; and~~

~~(b) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the IDEM, OAM.~~

(a) The designated representative has submitted a complete Acid Rain permit application in accordance with the deadlines in 40 CFR 72.30.

(b) The owners and operators of each affected source and each affected unit shall operate the unit in compliance with this Acid Rain permit.

E.1.3 Monitoring Requirements [326 IAC 21]

(a) The owners and operators . . . shall comply with the monitoring requirements as provided in 40 CFR ~~74, 75, and 76.~~

(b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and ~~76~~ shall be used to . . . Acid Rain Program.

(c) The requirements of 40 CFR ~~74~~ and 75 shall . . . operating permit for the source.

E.1.4 Sulfur Dioxide Requirements [326 IAC 21]

(a) The owners and operators of each source and each affected unit at the source shall:

(1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR ~~73.35~~ **72.2**), in the unit's compliance subaccount, . . .

(2) . . .

(b) . . .

(c) . . .

(d) . . .

(e) An allowance shall not be deducted in order to comply with the requirements **under paragraph (a)(1)** of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.

(f) . . .

(g) . . .

(h) . . .

(j) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO ₂ Allowance Allocations for Unit . . .					
year	2000	2001	2002	2003	2004
Tons	. . . *	. . . *	. . . *	. . . *	. . . *

~~*The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3, and 4 and 326 IAC 21. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitate a revision to the unit SO₂ allowance allocations identified in this permit (See 40 CFR 72.84).~~

* The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Allowance allocations to, transfer to, and deductions from an affected unit's Allowance Tracking System account do not require a revision to the SO₂ allowance allocation(s) identified in this permit (See 40 CFR 72.84).

E.1.5 Nitrogen Oxides Requirements [326 IAC 21]

- (a) . . .
- (b) NO_x Early Election Compliance Plan Unit **6137-1**:
 - (1) Pursuant to 40 CFR 76.8(d)(2), the **Indiana** Department . . . under 40 CFR 76.7(a)(2), of 0.46 lb/mmBtu until calendar year ~~2004~~ **2008**.
 - (2) . . .
- (c) NO_x Early Election Compliance Plan Unit **6137-2**:
 - (1) Pursuant to 40 CFR 76.8(d)(2), the **Indiana** Department . . . under 40 CFR 76.7(a)(2), of 0.46 lb/mmBtu until calendar year ~~2004~~ **2008**.
 - (2) . . .
- (d) . . .

E.1.6 Excess Emissions Requirements **for Sulfur Dioxide and Nitrogen Oxides** [40 CFR 77] [326 IAC 21].

- (a) . . .
- (b) The designated representative shall submit such required information to:

Indiana Department of Environmental Management
Air Compliance Section I, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Ms. Cecilia Mijares
Air and Radiation Division
U.S. Environmental Protection Agency, Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

and

U.S. Environmental Protection Agency
Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code (6204N)
Washington, DC 20460

- (c) The owners and operators of an affected unit that has excess emissions (as defined in 40 CFR 72.2) in any calendar year shall:

- (1) ...
- (2) ...

E.1.7 Record Keeping and Reporting Requirements [326 IAC 21]

- (a) ...

- (1) ...
- (2) ...
- (3) ...
- (4) ...

- (b) The designated representative shall submit such required information to:

Indiana Department of Environmental Management
Permit Administration Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

U.S. Environmental Protection Agency
Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code (6204N)
Washington, DC 20460

- ~~(c) Submit required information to the appropriate authority(ies) as specified in 40 CFR 72.90 subpart I and 40 CFR 75.~~

E.1.10 Liability [326 IAC 21]

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) ...

- (g) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Clean Air Act.

**Indiana Department of Environmental Management
Office of Air Management**

**Revision to the
Technical Support Document for Acid Rain Phase II Permit**

Source: A. B. Brown Generating Station
Location: West Franklin Road & Welborn Road, West Franklin, Indiana 47620
ORIS Code: 6137
Acid Rain Permit No.: AAR129-10331-00010
Reviewer: Robert Ondrusek

The following Sulfur Dioxide Allowances Reallocation and Administrative Amendments are being made to the operation permit AR129-5153-00010, issued on December 31, 1997 to the A. B. Brown Generating Station for units 6137-1, 6137-2, and 6137-XX4. Revised permit, AAR129-10331-00010, shall replace permit AR 129-5153.

Sulfur Dioxide Allowances Reallocation

Under Sulfur Dioxide Requirements [26 IAC 21]

The reference to sulfur dioxide allowances allotments for 1998 and 1999 has been removed from the Phase II Permit. The Phase I permit governs the sulfur dioxide emissions for 1998 and 1999. The removal of the reference clarifies that Phase II does not take effect until January 1, 2000. On October 9, 1998, EPA reallocated the allowances of SO₂ for the Phase II permit. The reallocated allowances are shown in the revised SO₂ wording.

Existing wording in permit issued December 31, 1997, on page 4 of 8

(j) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO₂ Allowance Allocations for Unit 6137-1

- (1) 1998 - Not applicable
- (2) 1999 - Not applicable
- (3) 2000 - 5,313*
- (4) 2001 - 5,313*
- (5) 2002 - 5,313*
- (6) 2003 - 5,313*
- (7) 2004 - 5,313*

SO₂ Allowances for Unit 6137-2

- (1) 1998 - Not applicable
- (2) 1999 - Not applicable
- (3) 2000 - 4,491*
- (4) 2001 - 4,491*
- (5) 2002 - 4,491*
- (6) 2003 - 4,491*
- (7) 2004 - 4,491*

SO₂ Allowances for Unit 6137-XX4

- (1) 1998 - Not applicable
- (2) 1999 - Not applicable
- (3) 2000 - 634*
- (4) 2001 - 634*
- (5) 2002 - 634*
- (6) 2003 - 634*
- (7) 2004 - 634*

*The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3, and 4 and 326 IAC 21. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitate a revision to the unit SO₂ allowance allocations identified in this permit (See 40 CFR 72.84)

Revised Sulfur Dioxide Allowances Reallocation

Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO ₂ Allowance Allocations for Unit 6137-1					
year	2000	2001	2002	2003	2004
Tons	5,356*	5,356*	5,356*	5,356*	5,356*

SO ₂ Allowance Allocations for Unit 6137-2					
year	2000	2001	2002	2003	2004
tons	4,529*	4,529*	4,529*	4,529*	4,529*

SO ₂ Allowance Allocations for Unit 6137-XX4					
year	2000	2001	2002	2003	2004
Tons	639*	639*	639*	639*	639*

*The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3, and 4 and 326 IAC 21. In addition, the

number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitate a revision to the unit SO₂ allowance allocations identified in this permit (See 40 CFR 72.84)

Administrative Amendments

Under Permit Requirements [326 IAC 21]:

IDEM is changing the language in (a)(1) to avoid any possible confusion. The reference to nitrogen oxides will be removed. The compliance plan is to be accomplished with the deadlines established in 40 CFR 72.30.

Existing wording in the permit issued December 31, 1997, on page 2 of 8

- (a) The designated representative of each affected source and each affected unit at the source shall:
 - (1) Submit a complete Acid Rain Permit application, by submitting a sulfur dioxide application and a nitrogen oxide compliance plan ~~under~~ **in accordance with the deadlines in** 40 CFR 72 before January 1, 1998 **72.30**; and

Revised wording

- (a) The designated representative of each affected source and each affected unit at the source shall:
 - (1) Submit a complete Acid Rain Permit application, by submitting a sulfur dioxide application and compliance plan in accordance with the deadlines in 40 CFR 72.30; and

Under Nitrogen Oxides Requirements [326 IAC 21]

EPA approved the Phase I Plan for nitrogen oxide Early Election for Units 1 & 2 emissions plan. Based on requirements of the Phase II Plan, the revised condition wording has been made be compatible with the Federal wording used.

Existing wording in the permit issued December 31, 1997, Page 5 of 8

- (a) NOx Compliance Plan
 - (1) On June 9, 1997, the USEPA approved a Phase I Acid Rain Permit for NOx Early Election for Unit 1 for the years 1997-2007 under which this unit shall not exceed the standard annual average emission limitation of 0.50 lb/mmBtu. If this unit is in compliance with the applicable emission limitation under 40 CFR 76.5(a), then the unit shall not be subject to the applicable emission limitation under 40 CFR 76.7(a) of 0.46 lb/mmBtu until January 1, 2008.
 - (2) On June 9, 1997, the USEPA approved a Phase I Acid Rain Permit for NOx Early Election for Unit 2 for the years 1997-2007 under which this unit shall not

exceed the standard annual average emission limitation of 0.50 lb/mmBtu. If this unit is in compliance with the applicable emission limitation under 40 CFR 76.5(a), then the unit shall not be subject to the applicable emission limitation under 40 CFR 76.7(a) of 0.46 lb/mmBtu until January 1, 2008.

- (3) Upon application by a source and approval by the Commissioner, an Alternative Emissions Limit (AELs) may be granted to a unit in accordance with 40 CFR 76.10.

Sulfur Dioxide Allowances Reallocation

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides (NO_x).

NO_x Early Election Compliance Plan Unit 1:

- (a) Pursuant to 40 CFR 76.8(d)(2), Department of Environmental Management, Office Management approves a NO_x early election compliance plan for Unit 1. The compliance plan is effective for calendar year 2000 through calendar year 2004. Under the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance with 40 CFR part 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(2), of 0.50 lb/mmBtu for dry bottom wall-fired boilers. If the unit is in compliance with its applicable emission limitation for each year of the plan, then the unit shall not be subject to the applicable emission limitation, under 40 CFR 76.7(a)(2), of 0.46 lb/mmBtu until calendar year 2008.
- (b) In addition to the described NO_x compliance plan, the units shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.

NO_x Early Election Compliance Plan Unit 2:

- (a) Pursuant to 40 CFR 76.8(d)(2), Department of Environmental Management, Office Management approves a NO_x early election compliance plan for Unit 2. The compliance plan is effective for calendar year 2000 through calendar year 2004. Under the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance with 40 CFR part 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(2), of 0.50 lb/mmBtu for dry bottom wall-fired boilers. If the unit is in compliance with its applicable emission limitation for each year of the plan, then the unit shall not be subject to the applicable emission limitation, under 40 CFR 76.7(a)(2), of 0.46 lb/mmBtu until calendar year 2008.
- (b) In addition to the described NO_x compliance plan, the units shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.

The gas fired turbine **4 is not subject to Nitrogen Oxides Limitation Requirements.

Under Excess Emission Requirements [326 IAC21]

The reference to "sulfur dioxide " should be removed to clarify that reports are required for both SO₂ and NO_x.

Existing wording in permit issued December 31,1997, on page 5 of 8

- (b) The owners and operators of an affected unit that has excess emissions of sulfur dioxide in any calendar year shall:
 - (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and
 - (2) Comply with the terms of an approved offset plan, as required by 40 CFR 77 and 326 IAC 21.

Revised wording

The owners and operators of an affected unit that has excess emissions in any calendar year shall:

- (a) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and
- (b) Comply with the terms of an approved sulfur dioxide offset plan, as required by 40 CFR 77 and 326 IAC 21.